IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 25622 of 2007(S)

OP.570/2005 of FAMILY COURT, KANNUR
.....

PETITIONER:

MOOLAVALAPPIL ABDUL SHUKOOR,
S/O.V.V.IBRAHIM HAJI, AGED 43 YEARS,
NOW RESIDING AT FLAT NO.22, BLDG.NO.1774,
ROAD NO.347, MOHARAQUE, TOWN 203, BAHRAIN.

BY ADV. SRI.V.RAMKUMAR NAMBIAR

RESPONDENTS:

M.KHADEEJA, D/O.ABDUL KHADER,
AGED 30, RESIDING AT JAMEELA MANZIL,
KEERIYAD, P.O.CHIRAKKAL, KANNUR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No.25622 of 2007

Dated 12th September, 2007.

J U D G M E N T

Kurian Joseph, J.

The prayer is for a direction to the Family Court, Kannur to dispose of O.P.570/05. According to the petitioner, the evidence has already been completed. The Family Court, however has passed Ext.P7, ordering joint trial of O.P.570/05 along with O.P.Nos.295/06 and 83/06. It is brought to our notice that M.C.45/06 is also pending between the parties.

2. Having heard counsel for the petitioner, we are of the view that it is only in the interests of the parties that the entire disputes between the petitioner and respondent are jointly tried with liberty to the parties, if necessary to adduce fresh evidence. Accordingly, the writ petition is disposed of directing the Family Court, Kannur to consolidate all the above cases and try them together. The parties will be at liberty to adduce fresh evidence. The

Family Court shall also make a fresh endeavour to have the disputes settled between the parties, before the trial.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

tgs

KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A. NO. OF 200

J U D G M E N T

Dated 12th September, 2007.